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RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEHBJ/AMEMBASSY BEIJING 0618
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RUEKJCS/SECDEF WASHDC 0713
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SENSITIVE
SIPDIS

STATE FOR SCA/CEN

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [PINR](#) [KDRG](#) [KAWC](#) [KZ](#)

SUBJECT: KAZAKHSTAN: WRITTEN ASSURANCES OF HUMANE TREATMENT AND
MONITORING OF RETURNED GTMO DETAINEE DOLKUN KERIMBAKIYEV

11. (U) Sensitive but unclassified. Not for public Internet.

12. (SBU) The Ministry of Foreign Affairs has sent the Embassy a diplomatic note confirming in writing that the Kazakhstani government will treat returned GTMO detainee Dolkun Kerimbakiyev (alias Abdul Rahim, partial ISN 521) humanely, and will take steps to ensure that he does not pose a further threat. (NOTE: As far as post knows, Kerimbakiyev is not in custody. END NOTE.) Post's translation of the full text of the note is in para 3.

13. (SBU) BEGIN TEXT:

Diplomatic Note No 13-2/1144

The Ministry of Foreign Affairs of the Republic of Kazakhstan presents its compliments to the Embassy of the United States of America and in response to its Diplomatic Note 1002/08 of November 21, 2008, provides the following information regarding the return to Kazakhstan of Dolkun Kerimbakiyev, who was in the custody of the U.S. Government at the U.S. Naval Base at Guantanamo Bay.

The Ministry confirms that Kazakhstan will take all possible steps consistent with the legislation of the Republic of Kazakhstan to prevent the afore-named person from engaging in terrorist activity so as to ensure that he does not pose a threat to the international community, and will provide information about D. Kerimbakiyev if it is related to terrorist activity and poses a threat to the interests of the United States of America.

However, including Kerimbakiyev into national and international watch lists, limiting his foreign travel, confiscating his passport, or refusing to issue him travel documents is possible only in case of his prosecution for committing a criminal action or the approval of restraint measures limiting his constitutional rights, including freedom of movement.

In addition, it should be noted, that D. Kerimbakiyev, being a legally capable citizen of Kazakhstan, shall be responsible for his actions and deeds, and in the case that Kerimbakiyev travels outside of Kazakhstan, the U.S. Government will be informed.

In addition to the aforesaid, the Ministry confirms that the Government of Kazakhstan will treat D. Kerimbakiyev in accordance with national legislation currently in force and international obligations, including the Convention against Torture.

The Ministry avails itself of this occasion to renew to the Embassy the assurances of its highest consideration.

Astana,
February 10, 2009

END TEXT.

HOAGLAND